

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 23976

PERMIT 16949

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE, AND AMENDING THE PERMIT

WHEREAS:

1. Permit 16949 was issued to Martin C. Brown and Martha K. Brown on September 27, 1977 pursuant to Application 23976.
2. Permit 16949 was subsequently assigned to City Team Ministries.
3. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
4. The permittee has proceeded with diligence and good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 7 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 31, 1990 (0000008)

2. Condition 8 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 1991 (0000009)

3. Condition 11 of this permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing

evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: MARCH 09 1988

for Lloy Johnson
Walter G. Pettit, Chief
Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 23976

PERMIT 16949

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE, AND AMENDING THE PERMIT

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
2. The permittee has proceeded with diligence and good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 7 of the permit is amended to read as follows:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 1, 1985

(0000008)

2. Paragraph 8 of the permit is amended to read as follows:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 1, 1986

(0000009)

3. Paragraph 11 of this permit is deleted. A new Paragraph 11 is added as follows:

Pursuant to California Water Code Sections 100 and 275, all rights and privilege under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source.

Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

(0000012)

Dated: MARCH 25 1983

Raymond Walsh

Raymond Walsh, Chief
Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 16949

(over)

Application 23976 of Martin C. Brown and Martha K. Brown

1473 Eureka Canyon Road, Watsonville, California 95076

filed on January 31, 1972, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

Tributary to:

A. Diablo Gulch

Corralitos Creek

B., C., & D. Unnamed Streams

Shingle Mill Gulch thence

Corralitos Creek thence

Salsipuedes Creek thence

Pajaro River thence

Pacific Ocean

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Town- ship	Range	Base and Meridan
A. S800 ft & W2000 ft from NE corner of Section 24	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	24	10S	1E	MD
B. W1400 ft from E $\frac{1}{4}$ corner of Section 24	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	24	10S	1E	MD
C. N200 ft & W1200 ft from E $\frac{1}{4}$ corner of Section 24	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	24	10S	1E	MD
D. N300 ft & W1100 ft from E $\frac{1}{4}$ corner of Section 24	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	24	10S	1E	MD

County of Santa Cruz

3. Purpose of use:	4. Place of use:	Section	Town- ship	Range	Base and Meridan	Acres
Stockwatering						
Recreational						
Fire Protection	Reservoir in NW $\frac{1}{4}$ of NE $\frac{1}{4}$	24	10S	1E	MD	
	3 Reservoirs in SE $\frac{1}{4}$ of NE $\frac{1}{4}$	24	10S	1E	MD	
Irrigation	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	24	10S	1E	MD	20
	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	24	10S	1E	MD	8
					TOTAL	28

The place of use is shown on map filed with the State Water Resources Control Board.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed A TOTAL OF 10 ACRE-FEET PER ANNUM (AFA) BY STORAGE TO BE COLLECTED FROM DECEMBER 1 OF EACH YEAR TO MAY 31 OF THE SUCCEEDING YEAR AS FOLLOWS: 5 ACRE-FEET PER ANNUM FROM DIABLO CANYON, 4 ACRE-FEET PER ANNUM FROM EITHER DIABLO CANYON OR AN UNNAMED STREAM TRIBUTARY TO SHINGLE MILL GULCH AND 0.5 ACRE-FEET PER ANNUM EACH FROM THE OTHER TWO UNNAMED STREAMS TRIBUTARY TO SHINGLE MILL GULCH.

THE MAXIMUM RATE OF DIVERSION TO OFFSTREAM STORAGE FROM DIABLO CANYON UNDER LICENSE 10469 AND THIS PERMIT SHALL NOT EXCEED 0.2 CUBIC FOOT PER SECOND.

THIS PERMIT DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE LOSSES OR FOR ANY OTHER PURPOSE. (0000005)

6. The amount authorized for appropriation may be reduced in the license if investigation warrants. (000006)

~~XXXXXXXXXXXXX~~ shall thereafter be
~~XXXXXXXXXXXXX~~ and if so, this permit may be revoked.

7. ~~8~~ Said construction work shall be completed on or before **DECEMBER 1, 1980.**

8. ~~9~~ Complete application of the water to the proposed use shall be made on or before **DECEMBER 1, 1981.** (0000009)

9. ~~XX~~ Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued.

10. ~~XX~~ Permittee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

11. ~~XX~~ Pursuant to California Water Code Section 100 all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (3) suppressing evaporation losses from water surfaces; (4) controlling phreatophytic growth; and (5) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. (P000

12. ~~XX~~ The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

13. THE TOTAL QUANTITY OF WATER DIVERTED UNDER THIS PERMIT TOGETHER WITH THAT DIVERTED UNDER LICENSE 10469 SHALL NOT EXCEED 10 ACRE-FEET PER ANNUM. (0000)

14. THE MAXIMUM RATE OF DIVERSION FROM DIABLO CANYON TO OFFSTREAM STORAGE DURING NOVEMBER SHALL NOT EXCEED 0.1 CUBIC FOOT PER SECOND, AS SPECIFIED IN LICENSE 10469. (000005U)

15. FOR THE PROTECTION OF FISHLIFE, NO DIVERSION SHALL BE MADE DURING THE MONTH OF MAY AT ANY TIME WHEN THE SUM OF THE FLOW OF CORRALITOS CREEK AT THE U. S. GEOLOGICAL SURVEY GAGING STATION "NEAR CORRALITOS" AND THE DIVERSION OF CITY OF WATSONVILLE MADE UPSTREAM FROM THAT POINT IS LESS THAN FOUR CUBIC FEET PER SECOND. (01400

This permit is issued and permittee takes it subject to the following provisions of the Water Code.

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated:

9-27-77

STATE WATER RESOURCES CONTROL BOARD

Curbitage

~~CONFIDENTIAL~~
EXECUTIVE DIRECTOR

Per # 16949

8-28-87 Asgd to: City Team Minister

3/15/89 Asgd to: Edith Ellsworth

7-13-93 Asgd to Stephen Farrow